App F IX 4

1914
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me)

Previous references

File No 116-14

Serial Nos 1-6

Later references

Private

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for Mk 26

SUBJECT

Composition of offences under the Municipal Laws

papers ordered to be recorded

MS 9 26

951

GRS 11] 1914.

GENERAL AND REVENUE SECRETARIAT

(Mund)

NOTES

File No 116/14

FILE HEADING

Composition of Offences under the Mal Laws

From The President of the Bangalore Cy- Mal Cl

No 18 Dated 29/7 1914 Received 25-7 1914

Diary No 951	Enclos 1 Spare Copies	Serial No 1

BRIEF ABSTRACT OF LETTER

Regrets of a reconsideration of the orders passed in G.O No 11100-9 Mal 237-60-30 dy 8-5 1914 with a view to empower the Cy Mal Cls at least to Compound Offences under the Mund Laws

NOTES AND ORDERS

1 Submitted for orders

2 The Old Mal Law of 1871 does not appear to have provided for the Composition of Offences by the Mal Commissioners If necessary the Presd may be requested to amend the Enactment

JMK 30

OTES—First Sheet 3-8-1914

GPS—36 000—15 6 12

6/8

951 2

G R S 12]

General and Revenue Secretariat | Mel File No 116 of 1914

Serial No

3. If Govt is disposed to reopen the question settled in Council ~~[illegible]~~ so recently as 8-4-14, a further enquiry will be necessary

Hon 12/8

Dr Secy

4 There seems to be much force in what the President says as to the need for vesting in Municipal Councils power to compound offences against the Municipal Laws most of which are of a petty character At any rate such a power may be given in the premier cities like Bangalore and Mysore We should therefore whether the Municipal Act should not be amended taking power in the matter as suggested in either of the drafts put up, when the subject was last considered seems to deserve further consideration

Maps Ltr 1.1

5 A reference to the Statistical Abstract of Municipal Offences put up will show that in the majority of them there is really no serious criminal

E

NOTE—Contn sheet

G P B—10,000—18.6.14

G R. S 12]

General and Revenue Secretariat | Jud File No 116 of 1914.

Serial No

unbroken prevent the act being more often than not a result of ignorance instead of a studied desire to break the rules

6 Considering the trouble and annoyance which every prosecution causes prosecutions under the Municipal laws are rarely undertaken and a power to compound will therefore strengthen the hands of the Municipal authorities in enforcing the rules

7 I think a Municipal Board may be depended upon to exercise the power more fairly than the officials of the Forest Dept who are very often tempted to compound offences either because they are afraid of securing a conviction before magistrates or it gives them an indirect means of showing an increase in income

2nd Member

Chairman

14/8/14

Ans

NOTE—Contn sheet

GPB—60 000—7 11 13

G R S 12]

General and Revenue Secretariat | Mil File No 116 of 1914.

Serial No

It is perhaps desirable to reconsider this question through recently formed Units may be further examined

weeks

17/8 Dec 7/11 Asq

I see to the reconsideration of the question if the First Member ~~also agrees.~~ is also willing

4.11.14. RB Dec 8/11

Asquith 7/11

(Remember)

I have no objn to the matter being reconsidered at a meeting, though I do not see any strong reasons adduced now than were known to us when we last decided the question -

8/11/14

Dec 9/11

10 Encl to the Secy from write reference to the Decision orders in para 8 supra

9/11 Asq

NOTE—Contn sheet

GPB—60 000—7 11 13

G R S 12]

95

General and Revenue Secretariat

File No 116 of 1914.

Serial No	
	May then be brought up for consideration at a meeting vice [illegible] 8
2620 16-11-14	Dewan 12 Yes 19/11/14
	C.S. on duty 1911 13
	Extract put up. A draft Sub Note may be put up
	5 Dys - D S N Submitted (by 4/12/14)
3252 12-12-14	Dewan

Demanglas 14/11

Dewan 21/11

Dewan 3/12 7/12

10/12

10/12

NOTE—Contn sheet.

GPB—25 000—2 11 14

sal at a Meeti

Ml " " " No C 245
21 11 1914

GENERAL AND I SECRETARIAT

Council Matter

SUBJECT

Reconsideration of the Govt Order dated 8th May 1914 declining to amend the Municipal Regulation so as to empower Municipal Councils to compound offences against the Municipal Regulation or any Rule or Bye-law thereunder

CIRCULATED TO THE MEMBERS OF COUNCIL

By Order,
D M Narasinga Rao
Offg Secretary to Government

20th November 1914

Extraordinary Member of Council Seen by the Extraordinary Member
26/11

First Member of Council Opinion recorded by First Member

Second Member of Council Seen by Second Member
24/11

GPB—1 000—8 2 14

Extract from the Proceedings of the 340 E Meeting
of the Council of His Highness the Maharaja
held at Bangalore on the 23 December 1914.

17 6. SUBJECT. (Clause 11 of the Schedule).

Re-consideration of the G.O. dated 6th May 1914 declining to accord the Lower Bazar Municipal Population an opportunity of Municipal Council to be consulted before making the Municipal Regulation or any rules or bye-laws thereunder.

OPINION

LC 185-14

7

OPINION OF Td.: COUNCIL.

185

A provision may be introduced into the Legislative Council to take power to invest Municipal Councils with the power of compounding offences against the Municipal Regulation or any rules or bye-laws thereunder.

(Sd) M.Visvesvaraya.
Dewan of Mysore

" Extract "

Deputy Secretary to Government.

Submitted to His Highness

In May 1911, the President of the Mysore City Municipal Council suggested the desirability of amending the Mysore Municipal Regulation by inserting in it a provision on the lines of Section 177 of the Municipal Law of the Civil and Military Station of Bangalore so as to empower Municipal Councils to compound offences against the Municipal Regulation and rules and bye-laws thereunder.

2. The matter was discussed in Council on the 8th April 1914 when it was resolved that the proposed amendment was neither necessary nor desirable, and the decision was communicated to all the Municipal Councils.

3. The Bangalore City Municipal Council have since made a representation for a reconsideration of that decision. They consider that a certain amount of discretion should be allowed to the Municipal President to effect a compromise in deserving cases, especially in the City Municipalities of Bangalore and Mysore.

4 The Second Member was for reconsidering the question and the First Member had no objection to the same being done, though he saw no stronger reasons adduced now in favour of the proposal than were stated in April last. Accordingly, the matter was again considered in Council on the 8th December 1914 and it was resolved that a provision might be introduced into the Legislative Council to take power to invest Municipal Councils with the power of compounding offences against the Municipal Regulation on any rules or bye-laws thereunder.

5 I solicit the sanction of His Highness for taking necessary action accordingly. The proposed amendment will

be

be further discussed in the Legislative Council.

SPL

Mr. Symmons -
18th Dec 1914-

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject

Reconsideration of the Government order dated 8th May 1914 declining to amend the Mysore Municipal Regulation so as to empower Municipal Councils to compound offences against the Municipal Regulation.

20 565

Order.

~~K R W~~

26/12/14

21

Lawley

26.12.14

22

G R 5 12]

General and Revenue Secretariat

2d File No. 116 of 191 4.

Serial No 23 Draft submitted

Approved 24/1/15

Sd.

24/1

Letter no 5356 dt 7 1 1915 fr the President, Bangalore City Municipality,

Informs him that the necessary legislative action will be taken in the matter

To Branch III for further action

Sd

8/1/15

Necessary provision has been included in the Rural Amending Regn IV of 1926. The papers may be returned to B.

24/7/26

2 AUG. 1926

NOTE—Contn sheet.

GPB—25,000—2 11 14

IV
25. 7.

1914

From

The Honorary President
Municipal Council
Bangalore City

To

The Secretary to the Government
H H the Maharaja of Mysore,
Revenue and Revenue Department,
Bangalore

Dated

Despatched 22-7-1914

Received

General No 18
No

Enclosure No 1

Requesting a reconsideration of the orders passed in Government Order No 11100-97/M1237-10-30 dated 8-5-1914 in re empowering the Municipal Councils to accept compensation of offences (commuted on appeal) at the Municipal Regulations or by-laws thereunder

GPE—80,CCd—28 9-12

Rl 116-14/821

B M 109] No 18 Cover 1

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL,
BANGALORE CITY, DATED 8th July 1914

D 957

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K P PUTTANNA CHETTY, Esq,
Honorary President, Municipal Council,
Bangalore City

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

SIR,

R With reference to Government Proceedings No. 11100-9/Ml. 237-10-30 dated the 8th May 1914 observing that, the proposed amendment of the Municipal Regulation, in the matter of empowering the Municipal Councils to accept composition of offences committed against the Municipal Regulation or any rules or bye-laws thereunder is neither necessary nor desirable, I have the honor to forward herewith copy of resolution of the Municipal Council dated the 27th June last and to request a reconsideration of the orders passed in the matter.

2. In the Municipalities of Mysore and Bangalore Cities, unlike those of minor Municipalities of smaller towns, institution of prosecutions for offences against the Municipal Regulation or Rules or Bye-laws thereunder is of daily occurence. The defaulters against Municipal Law comprise all kinds of people, merchants, officials and other poor persons most of whom are illiterate and quite ignorant of the Rules and Regulations. In most cases they are totally indiffe-

rent

GFB—2.000—.8.15

191

From

To

Dated

Despatched

Received

General No

No.

Enclosure No

indifferent as to the consequences of a Criminal prosecution and they are oblivious of the benefits arising from obedience to the laws enacted in the interests of the health and convenience of the public until they are in receipt of summonses issued by the Court to answer the charge brought against them by the Municipality. In the majority of the cases, at this stage they agree to obey the law, but the President is powerless to withdraw the complaints instituted against them at his instance, though he is convinced that it is best in the interest of Municipal Administration that the Criminal Proceedings should be dropped. A certain amount of discretion should be allowed to the President to effect a compromise in deserving cases. In such large Municipalities as the Mysore and Bangalore Cities a provision in the Municipal Regulation empowering the President to compound cases at his discretion is therefore indispensable in the interest of the Municipal Administration. The Old Municipal Regulation 1871 contained necessary provision in the matter and it is found in the Civil and Military Station Municipal Law also. I accordingly request a reconsideration of the orders passed in the question and solicit sanction to the proposed amendment at least in the case of the City Municipalities of Bangalore and Mysore.

I have the honor to be

Sir,

Your most obedient servant,

Honorary President.

Subject 116-14/1914

Extract from the Proceedings of an Ordinary General Meeting of the City Municipal Council, Bangalore, held at the Office Premises at 7-30 A.M., on Saturday the 27th June 1914.

Present.

Diwan Bahadur Rajasabha Bhushana K.P. Puttanna Chetty Esqr, Honorary President.

R. Subba Rao Esqr, M.B.C.M., L.S.Sc. Health Officer.

Rev E.S. Edwards.

C.V. Narasimhiengar Esqr, B.A.B.L.,

D.B. Ramachandra Mudaliar Esqr.,

G. Rajappa Esqr.

B. Chinnaswami Chetty Esqr

D.K. Garuda Char Esqr.

S.V. Subba Rao Esqr.

K.K. Veerabasavayya Esqr, B.A.B.L

D. Adappa Esqr.,

G. Siddaveerappa Esqr.,

D.V. Ramaswami Chetty Esqr, B.A.,

B. Uman Khan Esqr.

B. Abdur Rahman Esqr, B.A.,

K. Ramaiya Esqr.

B. Hanumappa Esqr.,

S. Ramachandraswami Esqr, B.A.,

D. Venkataramaiya Esqr, B.A.,

S. Venkatarangdenger Esqr.,

Absent.

The Executive Engineer, Bangalore Division.

The Amildar, Bangalore Taluk.

B. Ramaswamiah Esqr, B.A.,

M. Subbaiya Esqr., B.A.,

6. Government Proceedings No. 11100-9/Ml.237-10-30 dated the 8th May 1914 observing that it is not necessary to amend the Mysore Municipal Regulation so as to empower Municipal Councils to compound offences committed against the Municipal Regulation or any rule or bye-law thereunder.

Resolution - A further representation will be made to Government.

Sd. K.P. Puttanna Chetty.
Honorary President.

"COPY".

For Honorary President.

G R S 26]

File No 116-14
Serial No 6

Diary No of letter replied to 457

No 5356
mlm-re-6
97 1 15

General and Revenue Secretariat
(Munic.)
Dy, the 2 1. 1915

To
The President, Bangalore
City Munic. Council.

Date of issue 7/15

Signed by Asst Ramanathan

Sir,

With reference to your letter no 18 dated the 9th July 1914 urging the necessity for amending the Bangalore Munic. Regs so as to empower Munic. Councils to compound offences against the Regs or any rules or bye laws there under, I am directed to state

over

SUBJECT

necessary amendments to the Municipal Act
[illegible] will be submitted
before the Legislature Council for
Consideration

that the necessary action
will be taken in the matter

I have the

[illegible]

Enst of enclosures

Copied by

Examined by

GPB—25 000—8-6-11